

109TH CONGRESS  
1ST SESSION

# H. R. 3864

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 2005

Received

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## AN ACT

To assist individuals with disabilities affected by Hurricane Katrina or Rita through vocational rehabilitation services.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Assistance for Individ-  
3 uals with Disabilities Affected by Hurricane Katrina or  
4 Rita Act of 2005”.

5 **SEC. 2. ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES.**

6       (a) DEFINITIONS.—In this section:

7           (1) AFFECTED STATE.—The term “affected  
8 State” means a State that contains an area, or that  
9 received a significant number of individuals who re-  
10 sided in an area, in which the President has declared  
11 that a major disaster exists.

12           (2) COMMISSIONER.—The term “Commis-  
13 sioner” means the Commissioner of the Rehabilita-  
14 tion Services Administration.

15           (3) INDIVIDUAL WITH A DISABILITY.—The term  
16 “individual with a disability” has the meaning given  
17 the term in section 7(20)(A) of the Rehabilitation  
18 Act of 1973 (29 U.S.C. 705(20)(A)).

19           (4) INDIVIDUAL WITH A DISABILITY AFFECTED  
20 BY HURRICANE KATRINA.—The term “individual  
21 with a disability affected by Hurricane Katrina”  
22 means an individual with a disability who resided on  
23 August 22, 2005, in an area in which the President  
24 has declared that a major disaster related to Hurri-  
25 cane Katrina exists.

1           (5) INDIVIDUAL WITH A DISABILITY AFFECTED  
2           BY HURRICANE RITA.—The term “individual with a  
3           disability affected by Hurricane Rita” means an in-  
4           dividual with a disability who resided in an area on  
5           the date that was 7 days before the date on which  
6           the President declared that a major disaster related  
7           to Hurricane Rita exists in such area.

8           (6) MAJOR DISASTER.—The term “major dis-  
9           aster” means a major disaster declared by the Presi-  
10          dent in accordance with the Robert T. Stafford Dis-  
11          aster Relief and Emergency Assistance Act (42  
12          U.S.C. 5121 et seq.), related to Hurricane Katrina  
13          or Rita.

14          (b) REALLOTMENTS OF AMOUNTS.—

15          (1) IN GENERAL.—In realloting amounts to  
16          States under section 110(b)(2) of the Rehabilitation  
17          Act of 1973 (29 U.S.C. 730(b)(2)) for fiscal year  
18          2005, the Commissioner shall give preference to af-  
19          fected States.

20          (2) WAIVERS.—If the Commissioner reallots  
21          amounts under section 110(b)(2) of the Rehabilita-  
22          tion Act of 1973 to an affected State for fiscal year  
23          2005, or returns to the State of Louisiana for fiscal  
24          year 2005 the funds that Louisiana had previously  
25          relinquished pursuant to section 110(b)(1) of that

1 Act (29 U.S.C. 730(b)(1)) due to an inability to  
2 meet the non-Federal share requirements requiring  
3 Louisiana to contribute \$3,942,821 for fiscal year  
4 2005, the Commissioner may grant a waiver of non-  
5 Federal share requirements for fiscal year 2005 for  
6 the affected State or Louisiana, respectively.

7 (3) DEFINITION.—In this subsection, the term  
8 “non-Federal share requirements” means non-Fed-  
9 eral share requirements applicable to programs  
10 under title I of such Act (29 U.S.C. 720 et seq.).

11 (c) USE OF AMOUNTS REALLOTTED UNDER TITLE  
12 I OF THE REHABILITATION ACT OF 1973.—An affected  
13 State that receives amounts reallocated under section  
14 110(b)(2) of the Rehabilitation Act of 1973 (29 U.S.C.  
15 730(b)(2)) for fiscal year 2005 (as described in subsection  
16 (b)) or returned under subsection (b) may use the  
17 amounts—

18 (1) to pay for vocational rehabilitation services  
19 described in section 103 of the Rehabilitation Act of  
20 1973 (29 U.S.C. 723) (which may include training,  
21 mentoring, or job shadowing opportunities), for indi-  
22 viduals with disabilities affected by Hurricane  
23 Katrina or individuals with disabilities affected by  
24 Hurricane Rita, that contribute to the economic  
25 growth and development of communities;

1 (2) to enable—

2 (A) individuals with disabilities affected by  
3 Hurricane Katrina to participate in reconstruc-  
4 tion or other major disaster assistance activities  
5 in the areas in which the individuals resided on  
6 August 22, 2005; and

7 (B) individuals with disabilities affected by  
8 Hurricane Rita to participate in reconstruction  
9 or other major disaster assistance activities in  
10 the areas in which the individuals resided on  
11 the date that was 7 days before the date on  
12 which the President declared that a major dis-  
13 aster related to Hurricane Rita exists in such  
14 areas;

15 (3) to pay for vocational rehabilitation services  
16 described in section 103 of the Rehabilitation Act of  
17 1973 for individuals with disabilities affected by  
18 Hurricane Katrina, or individuals with disabilities  
19 affected by Hurricane Rita, who do not meet the af-  
20 fected State's order of selection criteria for the af-  
21 fected State's order of selection under section  
22 101(a)(5) of the Rehabilitation Act of 1973 (29  
23 U.S.C. 721(a)(5)); or

1           (4) to carry out other activities in accordance  
2       with title I of the Rehabilitation Act of 1973 (29  
3       U.S.C. 720 et seq.).

Passed the House of Representatives September 28,  
2005.

Attest:

JEFF TRANDAHL,

*Clerk.*